

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) No. 08 CR 109
)
)
CALVIN LOCKHART,)
)
)
Defendant.)

MEMORANDUM ORDER

Calvin Lockhart ("Lockhart") has just written a lengthy letter explaining both his desire and his need to shorten the custodial sentence that he has been serving since this Court sentenced him on February 3, 2009 pursuant to a guilty plea. Unfortunately for Lockhart, the division of responsibilities in the criminal justice system between the judiciary and the executive is one in which the court loses jurisdiction over a defendant after sentencing, so that all avenues of relief (with limited exceptions that do not apply here) must be pursued through the executive branch. This Court has no power to commute or modify Lockhart's sentence as he requests. Copies of Lockhart's letter and of this memorandum order are being transmitted to his defense counsel (as well as to government counsel) for consideration and communication with Lockhart as to what avenues may be open to him to secure relief.


Milton I. Shadur
Senior United States District Judge

Date: April 1, 2013

Hon: Judge Milton Shadur
Ref: Case #

Judge "Shadur"

My Name is Calvin Lockhart Federal Inmate Id E-20170-424, I Am Currently Serving A 100 month sentence in ref to The Above mentioned case, I was sentenced on or about Feb. 2009. At the time of my sentencing I had been in custody since June 2007 for Violations of MANDATORY Supervised Release which I was given 24 months (the max) by the Hon Judge S. Conlon. While serving the final month of my violation sentence I was returned back to M.C.C Chicago to face an indictment for Fraud. With the assistance of competent Legal Counsel mainly ms. Linda Andur I was allowed to Enter a Plea of Guilty per Ad. By Agreement to a Guidelines sentence of 100-125 months. At sentencing the defense argument is the mere fact that I was held accountable for millions when in fact I actually got less than 100, after a few words from counsel for and against my sentence me to 100 months in the Federal Bureau of prisons. Fast forward to present day, I am at F.C.I Elkhorn in Lisbon Ohio, which is a low security federal facility. I've successfully completed over half my time and have less than 3 yrs to do. This has not come without a cost, cost that affected both me and my family. I've lost 2 siblings to death since being incarcerated and I am the only surviving member from my fathers part of the family. On my mothers side I am the youngest child. My mother suffers from Lymphoma cancer and stages of dementia that slowly evolve into Alzheimer's. I have not seen my mother since April 2007. In the spring of 2010 she attempted to visit me while enroute she suffered a stroke and had to be airlifted to a local hospital. I also have 2 other family members who were recently diagnosed with cancer. Also my spouse has C.O.P.D. and its in a bad stage, I have not seen her since 2008. They are all unable to travel and since the F.B.I. will not assign me to M.C.C. Chicago due to my time left to serve, I am at a loss. I have found a new me

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Where I am this time, I am an active member of the Inmate Church, I teach 2 Adult Continuing Education Classes to my fellow inmates one which is designed to assist inmates in not returning to the system, I show them how to get housing, jobs, emergency housing, medical, dental, etc. etc grants, loans, education, and show them how to write resumes' and have mock interview with real employers, this I convinced the administration to allow since most Federal felons never really has a real job. During this time I've also taken interest in several courses offered by Stanford Trade School. The Chicago Transit Authority has a program that targets convicted felons and over the next 2 years they plan to hire over 300 felons at a pay rate starting at \$9.50 per hour with room for growth and development. Avon, IBM, and John Deere also hire ex-felons and I have a contact person in the Safer Foundation who will assist me also, with God comes bad, my health has suffered a great deal I have Stenosis in my heart, I suffer from hypertension, and 6 months ago I was diagnosed with renal failure, (A.K.A. kidney disease) I've just recently learned I'm once again taking medicine for prostate cancer. Now I guess you want to know what I want, right? Judge Shadur I would like you to commute all or a substantial portion of my remaining sentence to home confinement and half-way house. You can't place the tightest of stipulations on me because either option keeps me under the authority of the Federal Bureau of Prisons and I am closely monitored. I also have an extremely large restitution to pay and I only pay \$25.00 a quarter cause I only make \$5.25 a month, in free society with my skills I am capable of making over \$6k annually and I am willing to work more than one job to achieve my goals and provide for me my mom and wife both of whom exist on fixed incomes. I am not a threat to society, I'm only a threat to myself, but if you subscribe to the fact that people can change, then I am the poster boy for that, I had to hit my lowest low before I could even begin to get up, these last six years have turned me completely around.

(3)

Change STARTS WITHIN, I'm tired of scheming, plotting, And TRYING TO GET OUT,
I Re-focused And my PRIORITIES ARE GOD, FAMILY, IN THAT ORDER.
My Family Needs me AS I AM ITS LEADER, I have Grandkids I plan TO
Teach to do The Right Thing, My Older Family members Like my mom, Brother
Who IS H.I.U. positive, And wife most Likely Will not Be Able TO hang on
An ADDITIONAL 2 1/2 years TO my Release, I would like TO Show them my change And
My Love Before They Leave, so I can't stop them from passing onward But it can be
A smoother transition. If you order me TO do I Full your IN THE HARPER
House With The Understanding That no matter what I must stay there And pay
my Subsistence, make Reasonable CONTRIBUTIONS monthly TO my Restoration And take care
of my family. In short Judge Shadur One year HARPER House, 1 yr. Home confinement
in which I have A 7-Am-7 p.m. Curfew And I am tested for Drugs Randomly, And
its all in my lap, let me have a choice in my future. It will allow my debtors
And Debtors See anything is possible. I have Completely turned around And do not
plan to return to jail even again, I've got a 5yr plan, And a ten yr. plan, To fail
to plan, is to plan to fail, Judge Shadur I beg you to give me And my
family one more chance. I thank you for taking the time TO read my letter, please
consider all I present And if you need additional documentation to back up this
letter, Please let me know And I will gather up all I can And forward to
your attention. I await your response.

C Alvin Lockhart - 20170424

F.C.I. Clinton P.O. Box 10

Lisbon Oh - 44432

Alvin Lockhart

MARCH 26th 2013